

# **TAB E**



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH  
FRANK E. MOSS UNITED STATES COURTHOUSE  
350 SOUTH MAIN STREET  
SALT LAKE CITY, UTAH 84101

David A. Sime  
Clerk of Court

Telephone: (801) 524-6565  
Fax: (801) 526-1197

May 7, 2019

Steven W. Call  
Ray Quinney & Nebeker  
36 S. State Street, #1400  
Salt Lake City, Utah 84111

Re: State Bank of Southern Utah v. Beal; Case No. 19-02043

Dear Mr. Call:

At your request, this letter summarizes our investigation regarding the difficulty you experienced with electronically filing a Complaint to initiate the above-listed adversary proceeding. You explained that you attempted to file the adversary Complaint with the Court shortly before midnight on Monday, April 22, 2019, after having been in depositions for most of the day, but that you repeatedly received error messages, and the submission was repeatedly rejected by the CM/ECF system. Apparently, you were unable to file the Complaint until you left the input field for “Demand” on the filing screen blank. The Complaint, which alleges claims of non-dischargeability of a debt under 11 U.S.C. § 523(a)(6) and (c) and an objection to the debtor’s discharge under 11 U.S.C. § 727(a)(3) and (4), was only accepted for filing after midnight, and was therefore docketed as having been filed on April 23, 2019.

Our investigation of the facts verified that:

1. You first accessed the Court’s CM/ECF system on April 22, 2019, at 11:40:45 p.m. You were continuously logged into the system until 12:49 a.m. on April 23, 2019.
2. The Complaint was accepted for filing by the system at 12:16 a.m. on April 23, 2019.
3. Once “Open Adversary Case” is accessed in CM/ECF, there is an input field for “Demand (\$000).” This field requires input of an integer for the demand amount that does not include a dollar sign, a comma, or a period, and represents the amount claimed in the Complaint in thousands. Any entry in the Demand field that is not in the proper form triggers an error message stating, “[y]ou have to enter a valid integer number.”
4. You indicated that, although you tried entering a Demand integer in several different ways, you had difficulty getting the system to accept your entries. You also indicated having difficulty getting the system to allow you to pay the required filing fee.

5. As indicated by the document's own Properties information, the filed Complaint had been "created" in PDF format on April 22, 2019, at 11:24 p.m.
6. You contacted the Court to report the problems you had with your filing on Tuesday, April 23, 2019. Once notified, we checked the system and found it to be working properly. We received no other reports of problems with the system from other CM/ECF filers during the same time frame.

If you need further assistance, please let me know.

Sincerely,



David A. Sime